

**FAX TRANSMISSION**

CONFIDENTIAL COMMUNICATION

**PETITION TO MAKE SPECIAL****RECEIVED  
CENTRAL FAX CENTER****OCT 09 2004****To: Commissioner for Patents**  
Fax No.: (703) 872-9306**From: JOSEPH J. MAYO (REG. NO. 53,288)**  
Fax No.: (858) 777-5425  
Phone No.: (858) 442-5877Total Number of Pages Including Cover: 8  
Date: Saturday, October 09, 2004**US Serial No.: 10/605,527**  
**Ref. No.: GSI-P0001**

Comments:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at FAX number 703-872-9306 on October 9<sup>th</sup>, 2004.Fax Coversheet (1 page) (this sheet)  
Petition to Make Special (6 pages)  
Credit Card Payment Form (1 page)Signature: 

Joseph J. Mayo

Date: 10/9/2004

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La Jolla, California 92037  
P. (858) 221-6964Joseph J. Mayo  
D. (858) 442-5877  
F. (858) 777-5425  
jmayo@dalinalaw.com

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CENTRAL FAX CENTER

OCT 09 2004

App. No. : 10/605,527 Confirmation No.: 2526  
Applicant : LOWE, Frederick Docket No. : GSI-P0001  
Filed : 10/6/2003 Customer No. : 36067  
TC/A.U. : 2131  
Examiner : SHEIKH, Ayaz R.

For: METHOD AND APPARATUS FOR GENERATING AND DISTRIBUTING  
PERSONALIZED MEDIA CLIPS

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PETITION TO MAKE SPECIAL UNDER 37 C.F.R. 1.102(d)

Commissioner for Patents  
703-872-9306

Dear Sir:

Applicant hereby requests the above-identified application be Made Special in accordance with the Accelerated Examination procedure of MPEP 708.02 VIII. Applicant submits that all claims in the pending application are directed to a single invention. Applicant has conducted a pre-examination search in class/subclasses 704/278, 704/270, 704/267, 704/211, 704/201, 704/229, 704/258, 704/203, 700/94, 705/42, 379/67.1, 379/88.16. A detailed discussion of the references found in the pre-examination search is included herein with patentability discussed to the particularity required by 37 CFR 1.111(b) and (c). Applicant submits the fee for Accelerated Examination as set forth in 37 CFR 1.17 (h).

**Pre-examination Search**

The relevant patents conducted during the search are identified below.

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**U.S. Patent No. 6,694,219**

U.S. Patent No. 6,694,219 (hereinafter the '219 patent) discloses a method and apparatus for assembling personalized electronic media into printed products. CDs, DVDs and other types of optical disks, magnetic media, and data storage devices are personalized into magazines, catalogs, pamphlets, and other printed products in order to enhance the amount and quality of personalization associated with the printed product. The patent describes reading and/or writing personalized information to/from a data storage device and assembling the data storage device within a printed product that is to be delivered to a particular individual. Specifically, independent claims 1 and 13 require printing personalized indicia on a printed product. The other two independent claims, claim 24 and 31 require a conveyor.

**Applicant's Claimed Invention is Different**

An embodiment of Applicant's invention comprises "an insert clip comprising personalized media; a master clip comprising an insertion point; a network interface; a computer coupled with said network interface wherein said computer further comprises a memory device comprising said insert clip and said master clip; a process executing on said computer wherein said process is configured to combine said insert clip with said master clip at said insertion point to create an output clip with seamless splicing at said insertion point." See claim 1. The '219 device is not configured to combine an insert clip with a master clip.

**U.S. Patent 6,529,586**

United States Patent No. 6,529,586 (hereinafter the '586 patent) discloses an audio information delivery system that collects electronic data via Internet or other conveyance, and

responsive to customer inquiries, selectively retrieves data from local stores in areas of interest to the inquiring customers, formats the data, and after preparing vocalizations of the text information, computer equipment audibly presents the audio information and vocalizations to the caller in predetermined order via the caller's telephone connection. The system requires enrollment by the person calling the system.

Applicant's Claimed Invention is Different

An embodiment of Applicant's invention comprises "an insert clip comprising personalized media; a master clip comprising an insertion point; a network interface; a computer coupled with said network interface wherein said computer further comprises a memory device comprising said insert clip and said master clip; a process executing on said computer wherein said process is configured to combine said insert clip with said master clip at said insertion point to create an output clip with seamless splicing at said insertion point." See claim 1. The '586 device is not configured to combine an insert clip with a master clip. See Fig. 7 and steps 708 and 710 of '586. Specifically, in the '586 patent, a playback session plays a series of vocalizations of text information and audio information a predetermined order. This does not constitute seamless splicing of audio signals. See Col. 15, ll. 14-26.

**U.S. Patents 6,122,617**

United States Patent No. 6,122,617 (hereinafter the '617 patent) discloses an information delivery system for delivery of personalized audible information to a plurality of end-users. A master controller collects textual information items from the plurality of information sources and enables editing of the items' text to replace words which may be improperly converted to speech

with phonetic equivalents, to remove references to illustrations, and to insert punctuation where necessary to improve the understandability of speech produced from the items' text. The master controller also enables assignment of categories to each text item based, in part, upon keywords contained in the item. Text items are converted into audio signals for output to an end-user audio device.

#### Applicant's Claimed Invention is Different

An embodiment of Applicant's invention comprises "an insert clip comprising personalized media; a master clip comprising an insertion point; a network interface; a computer coupled with said network interface wherein said computer further comprises a memory device comprising said insert clip and said master clip; a process executing on said computer wherein said process is configured to combine said insert clip with said master clip at said insertion point to create an output clip with seamless splicing at said insertion point." See claim 1. The '617 device is not configured to combine an insert clip with a master clip. See claim 1 of '617. Specifically, the objective of '617 is to edit text to correct for text-to-audio synthesis errors and then synthesize one audio clip.

#### **U.S. Patent 5,444,767**

United States Patent No. 5,444,767 (hereinafter the '767 Patent) discloses a system and method for recording and delivering personalized audio messages. The system includes a central facility computer system (CF), a store front programming system (SFS), and a portable playback device (PPD). When a customer desires to send a personalized message to another person, the customer communicates via a telecommunications channel with the CF. Under control of a CF

processor, an outgoing message module of the CF provides instructions to the customer, who enters required information and provides the personalized audio message. The personalized audio message is digitized by a CF voice digitizer and transmitted from the CF via a data interface to the SFS. The SFS receives the digitized personalized audio message data from the CF and uses its playback device programmer to program data representing the audio message onto the PPD. The PPD is an audio chip having a nonvolatile memory, an external switch, a battery and a speaker. When the switch is pressed, the data representing the audio message stored in the memory is sent to the speaker (via a D/A converter where the data is digital) where a facsimile of the original audio message is heard. The system can be used for example to program a digitized message into a greeting card or a stuffed animal as received on a phone line. The message can be reviewed by the caller and re-recorded until the customer is satisfied. See Fig. 6 and steps 108 and 110 of Fig. 7 which is described at Col. 9, ll. 12-41.

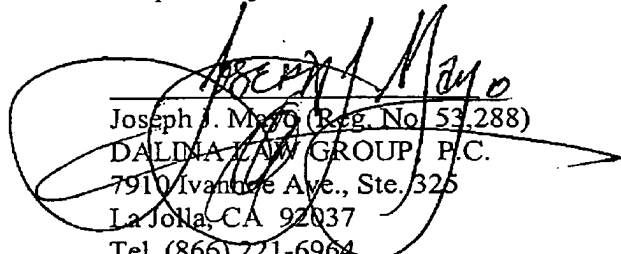
#### Applicant's Claimed Invention is Different

An embodiment of Applicant's invention comprises "an insert clip comprising personalized media; a master clip comprising an insertion point; a network interface; a computer coupled with said network interface wherein said computer further comprises a memory device comprising said insert clip and said master clip; a process executing on said computer wherein said process is configured to combine said insert clip with said master clip at said insertion point to create an output clip with seamless splicing at said insertion point." See claim 1. The '767 device is not configured to combine an insert clip with a master clip. Instead, the '767 patent programs a greeting card or stuffed animal with a single digitized message that is recorded over a phone line as one audio clip.

**CONCLUSION**

In view of the above the Applicant requests that the Petition to Make Special be granted and the examination of the application be advanced.

Respectfully Submitted on October 9<sup>th</sup>, 2004,

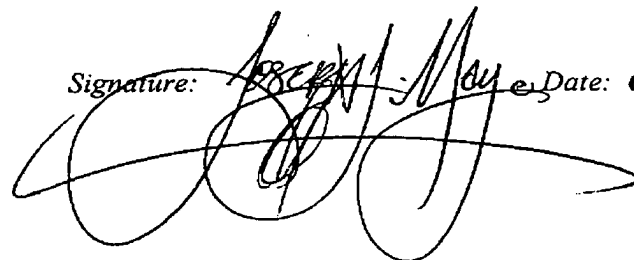


Joseph J. Mayo (Reg. No. 53,288)  
DALINA LAW GROUP, P.C.  
7910 Ivanhoe Ave., Ste. 325  
La Jolla, CA 92037  
Tel. (866) 221-6964

**Correspondence Info:*****CERTIFICATE OF TRANSMISSION*****Customer Number 36067**

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